### **District of Columbia Sentencing Commission FY2023**

Agency District of Columbia Sentencing Commission

Agency Code FZ0

Fiscal Year 2023

790

200

Mission The mission of the District of Columbia Sentencing Commission is to implement, monitor, and support the District's voluntary sentencing guidelines, to promote fair and consistent sentencing policies, to increase public understanding of sentencing policies and practices, and to evaluate the effectiveness of the guidelines system in order to recommend changes based on actual sentencing and corrections practice and research.

### Strategic Objectives

Objective Number	Strategic Objective
1	Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences.
2	Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process.
3	Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarranted disparity in sentences.

### Key Performance Indicators (KPIs)

Measure	Directionality	FY 2020 Actual	FY 2021 Actual	FY 2022 Target	FY2022 Actual	FY 2023 Target
1 - Provide fair, consistent and transparent sentencing   that similar offenders who are convicted of similar offe	oolicy for felony se nses receive simila	entences im ar sentence	posed in th s. (7 Measu	e District o Ire records)	f Columbia to	ensure
Percent of all sentences imposed that fall outside of the recommended Sentencing Guidelines range that are still compliant due to a departure factor or other rule.	Up is Better	94.3%	92.1%	92%	58.4%	55%
Percent of all counts sentenced that are deemed compliant with the Guidelines.	Up is Better	94%	97%	97%	95.1%	93%
Percent of all counts sentenced that are within the recommended Sentencing Guidelines range/options.	Up is Better	90.6%	90.9%	89%	88.4%	85%
Percent of all sentences for weapon offenses that are compliant with the Sentencing Guidelines.	Up is Better	New in 2021	83%	90%	95%	90%
Percent of all sentences for violent offenses that are compliant with the Sentencing Guidelines.	Up is Better	New in 2021	89.4%	92%	95.2%	90%
Percent of all judicial compliance letters sent that judges responded to.	Up is Better	82.1%	90%	80%	73.6%	85%
Percent of all Guidelines compliant sentences that were the result of an accepted Rule 11(c)(1)(C) plea bargain.	Up is Better	15%	15.6%	13%	14%	13%
2 - Provide effective education and support to improve Guidelines to ensure citizens of the District have a clear						ncing
Percent of all Guidelines questions submitted to the Commission that were answered within 24 hours/next business day (NBD) or by time response was requested.	Up is Better	98.9%	98.9%	98.5%	98.8%	98.5%
Percent of post-training surveys that gave the Commission an 80% or higher satisfaction rating.	Up is Better	90.2%	94.4%	89%	100%	85%

65 New in 264 Number of Social Media Postings. Up is Better 2021 Percent of all Commission website hits on web pages Up is Better New in 46% 35% 13.8% 13% related to outreach and education material. 2021

3 - Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarranted disparity in sentences. (4 Measure records)

Percent of data request responses delivered within 20 days	Up is Better	92.5%	95.2%	85%	100%	85%	
or by the requested response date.							

Measure	Directionality	FY 2020 Actual	FY 2021 Actual	FY 2022 Target	FY2022 Actual	FY 2023 Target
Percent of Commission data system error tickets resolved within 45 days.	Up is Better	New in 2023	New in 2023	New in 2023	New in 2023	70%
Percent of Unique Arrests from MPD that are verified and processed by the Commission's data system.	Up is Better	New in 2021	83.7%	85%	100%	85%
Percent of MPD Arrest Charges received that are verified and processed by the Commission's data system.	Up is Better	New in 2021	93.2%	76%	100%	76%

# Operations

Operations Title	Operations Description	Type of Operations
	consistent and transparent sentencing policy for felony sentences imposed in the District of Columb nders who are convicted of similar offenses receive similar sentences. (3 Activity records)	oia to ensure
Identify Irregularities and Inconsistencies in Felony Sentences Imposed	Review sentencing data received from the D.C. Superior Court to identify data quality issues to be resolved; identify sentences that are outside the recommended guideline sentence; and identify emerging sentencing trends that may require review by the Commission and potential policy modifications.	Daily Service
Review and Verify All Felony Sentences	Review and verify each felony sentence imposed by the D.C. Superior Court is accurate, legal; and complete. Once the verification process is completed, calculate whether the sentence imposed matches the recommended guideline sentence in an accurate and timely manner.	Daily Service
Review and Verify all Criminal History Scores	A individual's prior convictions are provided by CSOSA and used to calculate a defendant's criminal history scores. If criminal history information is missing or inaccurate, CSOSA is contacted to provide the accurate information so that compliance can be calculated for each felony count sentenced.	Daily Service
	tive education and support to improve understanding and awareness of the District's Voluntary Se isure citizens of the District have a clear understanding of the sentencing process. (5 Activity recor	
Provide Sentencing Guideline Training	Provide Sentencing Guideline training to criminal justice professional that will increase their understanding of sentencing practices under the Guidelines and ensure proper application of the Guidelines thus reducing potential sentencing errors.	Daily Service
Maintain and Jpdate Agency Website	Update the agency's website with "Guideline Alerts" to ensure the public and criminal justice community are notified of changes to sentencing policy or practices under the sentencing guidelines. Monthly update training and other guideline related materials to ensure public access to accurate and timely information about sentencing in the District of Columbia.	Daily Service
Respond to Guideline Questions	On an ongoing basis the agency responds to questions from a number of sources including, Court Services and Offender Supervision Agency, judges, attorneys, and the public regarding criminal history scoring, sentence options, and offense rankings. Responding to these questions in an accurate and timely manner avoids procedural delays and ensure that the parties understand the sentencing options available under the Sentencing Guidelines.	Daily Service
Increase public outreach and education regarding the Sentencing Guidelines	Prior Guideline training and outreach has previously been focused on criminal justice partners and professionals. An Guideline outreach and education strategy will be developed and implement targeting residents and community based organization to increase their understanding of the purpose, function, and impact of the Guidelines on felony sentences imposed in the District.	Daily Service
Public Access to Sentencing Data	In addition to providing a comprehensive yearly data set of all felony sentences imposed, multiple data sets will be placed on the agency's website to provide residents and researcher more detailed overview and a clearer understanding of felony sentencing trends for specific offense types in the District.	Daily Service
3 - Provide high the District of Co	quality analysis and evaluation of sentencing data to inform the development of effective sentenci slumbia that increases public safety while decreasing unwarranted disparity in sentences. (3 Activ	ing policy in ity records)
Respond to Data Requests	Effectively and efficiently respond to data requests from legislators, criminal justice professionals, and the public by providing accurate and timely sentencing information.	Daily Service
Monitor and Maintain the Guideline Reporting nformation Data (GRID) System	Monitor and maintain the data analysis module of the agency's GRID system used to identify and evaluate sentencing trends throughout the year to inform the development of effective sentencing policy for the District. Technical and operational issues identified will be reported to the vendor for resolution within 14 days.	Daily Service

Operations Title	Operations Description	Type of Operations
MPD Arrest Data Processing	In FY2021, the agency will begin receiving and integrating MPD arrest data into the agency's Guideline Information Reporting Data (GRID) system. On an hourly basis arrest data will be transferred to the GRID system where data will be stored, processed and integrated, allowing for analysis of felony cases from arrest through sentencing. Processing will include data validation and reliability checks to ensure the accuracy of the data for analysis purposes.	Daily Service

## Workload Measures (WMs)

Measure	FY 2020 Actual	FY 2021 Actual	FY2022 Actual
1 - Identify Irregularities and Inconsistencies in Felony Sentences Imposed (2 Measure	records)	1	1
Number of Sealed Cases	1310	7192	1826
Number of Data Quality Assurance (DQA) Issues Identified and Submitted to the Appropriate Agency	97	54	24
1 - Review and Verify all Criminal History Scores (1 Measure)			
Number of Requests for Missing Criminal History Scores Made to the Court Services and Offender Supervision Agency (CSOSA)	144	64	171
1 - Review and Verify All Felony Sentences (6 Measure records)			
Number of sentences imposed as the result of an accepted Rule 11(C)(1)(c) plea bargain	122	97	249
Number of Felony Counts Sentenced	910	913	1538
Number of Court Services and Offender Supervision Agency (CSOSA) Criminal History Scores Submitted to the Commission	794	728	1093
Number of Felony Cases Sentenced	706	673	1227
Number of Departure Letters Sent	55	16	73
Number of Probation Revocations Sentenced	363	117	165
2 - Maintain and Update Agency Website (1 Measure)			
Number of Agency Website Hits	21,153	25,554	35,350
2 - Provide Sentencing Guideline Training (3 Measure records)			
Number of Sentencing Guideline Trainings Provided	13	8	27
Number of Agency Website Updates Completed	72	414	97
Number of individuals receiving Sentencing Guideline Training	212	123	335
3 - Monitor and Maintain the Guideline Reporting Information Data (GRID) System (4 N	Aeasure record	s)	
Number of Commission Data System Tickets Entered	29	33	19
Number of new charge codes mapped in the Commission's data system	34	31	0
Number of hours required to complete data requests	1286	2031	370
Number of Critical Commission Data System Tickets Submitted	14	12	0
3 - MPD Arrest Data Processing (2 Measure records)			
Number of MPD Arrest Charges Received by Commission's Data System	Not Available	35,602	79,115
Number of Unique MPD Arrests Received	Not Available	19,483	70,061
3 - Respond to Data Requests (2 Measure records)			
Number of Data Requests Received	47	42	11
Number of Data Sets Distributed or Published by the Commission	18	14	2

### Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
Increase pu	blic outreach and education regarding the Sentencing Guidelines(1 Strategic Initiative)	
Sentencing Guideline Presentations to District Residents	During FY2023, the agency will craft four short video presentations. These videos will show community members how to access and utilize agency resources. The videos will also define the duties of the Commission in the District's criminal justice system. The videos will cover; (1) the agency's research capabilities and how to request data from the Commission, (2) outreach, education, and how to schedule an informational session, (3) the Commission's role in providing sentencing policy recommendations, as well as answering frequently asked questions, and (4) how the agency monitors the application of the Guidelines. The first video will be completed and uploaded to the agency's website and social media accounts by December 2022, the second video by March 2023, the third video by June 2023, and the final video by September 30, 2023. The Commission will target outreach promoting the videos in the communities most impacted by felony offenses and sentencings, particularly in Wards 7 and 8.	09-30-2023
MPD Arrest	Data Processing (1 Strategic Initiative)	
Analyze Papered Case Rates based on Race and Offense Location	The Commission will publish an issues paper analyzing arrest papering rates based on racial and geographic variables. This will allow the Commission to assess if there are discrepancies between papering rates (arrests that are moved forward for prosecution) based on a defendant's race or the location of the incident. The paper will analyze any potential disparities in the papering in Wards 7 or 8 compared to other parts of the city. A draft of this paper will be completed by May 1, 2023, and will be published by June 30, 2023.	06-30-2023
Provide Sen	tencing Guideline Training (1 Strategic Initiative)	
Sentencing Guidelines User Support Program	The Commission will implement a new program to provide more resources to the agency's partners that utilize the Sentencing Guidelines the most: the Superior Court, CSOSA presentence report writers, and criminal law practitioners. By December 31, 2022, Commission staff will create a plan to provide quarterly materials or trainings to each of the listed partners. Support materials or training will then be provided to each listed partner by March 30, June 30, and September 15, 2023.	09-15-2023
Respond to	Data Requests (1 Strategic Initiative)	
Publish Data Request Responses	The Sentencing Commission receives and responds to many individual data requests each year. During FY23, the agency will develop a plan to begin publishing select, relevant data request responses so that anyone may access and utilize the data. By December 31, 2022, Commission staff will develop a plan for how data requests will be selected and formatted for publication on the agency's website. Commission staff will publish two prior data request responses by June 15, 2023, and three additional responses by August 30, 2023. Published data request responses will be highlighted in the agency's social media posts. In quarter four of 2023, the agency will disseminate a survey on its website and social media accounts to determine if users want to see more data requests published.	09-30-2023
Review and	Verify All Felony Sentences (1 Strategic Initiative)	
Develop a Revised Criminal Code Act of 2021 Project Approach Plan	In FY 2023 the D.C. Council is anticipated to pass a version of the Revised Criminal Code Act of 2021 which will overhaul the District's criminal statutes and criminal code scheme. The Sentencing Guidelines will need to be significantly modified as a result. By April 15, 2023, Commission staff will develop an approach for the Commission to use in deciding how to adjust the Guidelines following the passage of the RCCA. The plan will present a potential strategy (or strategies) that the Commission can use to begin the process of evaluating and modifying the Sentencing Guidelines to adapt to the District's new criminal code. By June 30, 2023, agency staff will present the plan to the Commission.	06-30-2023